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REMARKS

Reconsideration of the present application and entry of the amendment is respectfully requested. Claims 1 to 20 are currently pending, claims 10 and 18 have been canceled, and claims 1, 14 and 20 have been amended.

The Office Action mailed May 29, 2003 addressed claims 1 to 20. Claims 1 to 9, 12 to 17 and 20 were rejected, and claims 10, 11, 18 and 19 were objected to as dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1 to 3, 5 to 9, 12 to 16 and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Melvin et al. (US 5,779,562). The Examiner stated that Melvin et al. discloses a multi-core, multi-cover golf ball having a core comprised of a center core layer and an outer core layer and a cover comprised of an inner and outer cover layer. The Examiner further stated that the center core layer and the outer core layer are made of polybutadiene and may contain other thermoset materials, zinc diacrylate is the crosslinking agent, the center core layer has a diameter of about 10 to 35 mm, and the outer core layer has a diameter of 30 to 40 mm (and a thickness of 2.5 to 10 mm inherently). The Examiner concluded that the inner and outer cover layers both comprise ionomer resin, and the inner cover layer is harder than the outer cover layer.

Although Applicant respectfully disagrees with the Examiner, in an effort to hasten prosecution, claims 1, 14 and 20 have been amended to include the limitations of claims 10, 18 and 19 respectively. Claims 10, 11, 18 and 19 were objected to but considered allowable by the Examiner. Since Melvin et al. does not teach each and every element of claims 1, 14 and 20, as amended, Applicant respectfully submits that Melvin et al. does not anticipate claims 1, 14 and 20. Claims 2, 3, 5 to 9, 12, 13, 15 and 16 depend from claims 1 and 14, therefore Melvin et al. also does not anticipate claims 2, 3, 5 to 9, 12, 13, 15 and 16. Applicant respectfully requests that the rejection of claims 1 to 3, 5 to 9, 12 to 16 and 20 under 35 U.S.C. § 102(b) as anticipated by Melvin et al. be reconsidered and withdrawn.

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Claims 4 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Melvin et al. (US 5,779,562) and OFFICIAL NOTICE. The Examiner stated that Melvin et al. does not disclose the outer cover layer having two or more layers, but OFFICIAL NOTICE is taken that having a core more than two layers is advantageous in distributing the weight and specific gravity of the golf ball. The Examiner concluded that one having ordinary skill in the art at the time the invention was made would have found it obvious to have a core or core layer with two or more layers in order to optimize the weight distribution and specific gravity of the golf ball.

Applicant respectfully disagrees with the Examiner. Applicant assumes that the Examiner meant that Melvin et al. does not disclose the outer core layer having two or more layers, not the outer cover layer (as stated in the rejection, page 3), since claims 4 and 17 relate to two or more core layers, and Applicant will respond to the rejection accordingly. Applicant respectfully traverses the OFFICIAL NOTICE, and should the Examiner maintain the rejection based on OFFICIAL NOTICE, Applicant respectfully requests proof.

Although Applicant respectfully disagrees, in an effort to hasten prosecution of the application, Applicant respectfully submits that claims 1 and 14 were amended, as discussed above, and are now allowable. Therefore, claims 4 and 17, which depend from claims 1 and 14 respectively, are therefore allowable.

For at least these reasons, Applicant respectfully submits that the rejection of claims 4 and 17 under 35 U.S.C. § 103(a) has been overcome. Applicant therefore requests that the rejection of claims 4 and 17 be reconsidered and withdrawn.

The Examiner is invited to telephone Applicant's attorney if it is deemed that a telephone conversation will hasten prosecution of the application.

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CONCLUSION

Applicant respectfully requests reconsideration and allowance of each of the presently rejected claims, claims 1 to 9, 12 to 17 and 20. Applicant respectfully requests allowance of claims 1 to 9, 11 to 17, 19 and 20, the claims currently pending.

Respectfully submitted,

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